

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

D. George Sweigert,
-against-

Plaintiff,

Jason Goodman

Defendant.

CASE: 18-cv-08653-VEC-SDA

HON. VALERIE E. CAPRONI

**MOTION FOR RECONSIDERATION
OF A JUDICIAL ORDER (ECF. NO. 379 AND 381)**

Hereby sworn under oath on this twenty-second day of March, 2022 (3/22/2022).



**D. G. SWEIGERT, C/O
AMERICA'S RV MAILBOX, PMB 13339
514 Americas Way, Box Elder, SD 57719
Spoliation-notice@mailbox.org**

**MOTION FOR RECONSIDERATION
OF A JUDICIAL ORDER (ECF. NO. 379 AND 381)**

Pursuant to the Federal Rules of Civil Procedure the *pro se* Plaintiff hereby invokes Rule 60(b) to respectfully request this Court revise ORDERS ECF no. 379 and 381 to have the practical effects of DISMISSED WITHOUT PREJUDICE.

The pro se Plaintiff requests this Court review *Gravatt v. Columbia University*, 845 F.2d 54 (1988), Second Circuit · No. 533, Docket 87-7677 845 F.2d 54. In *Gravatt* the presiding judge converted a request for voluntarily withdrawal without prejudice as a request with prejudice.

Pro se Plaintiff asserts that the presiding judge acted in a like manner in deciding ECF 379 and 381 without the benefit of the presentment of the claims at trial. Thus, a WITH PREJUDICE determination as to merits seems inappropriate under *Gravatt*.

Pro se Plaintiff asserts that his rights were abridges when the presiding judge did not offer the undersigned an opportunity to understand the practical effects of the significance of WITH or WITHOUT PREJUDICE dismissal and allow a withdrawal of the offers of dismissal and surrender of claims made by the *pro se* Plaintiff.

Respectfully submitted March 22, 2022 (3/22/2022) under the penalties of perjury.



**D. G. SWEIGERT, C/O
AMERICA'S RV MAILBOX, PMB 13339
514 Americas Way, Box Elder, SD 57719**

CERTIFICATE OF SERVICE

I, hereby certify, under penalties of perjury, that a true copy of the accompanying documents has been filed electronically with pdf copies to all parties.

Defendant
JASON GOODMAN
252 7TH AVENUE APT 6S
NEW YORK, NY 10001
(323) 744-7594
truth@crowdsourcethetruth.org

I hereby attest that the foregoing was transmitted via e-mail message March 22, 2022 (3/22/2022) under the penalties of perjury.



**D. G. SWEIGERT, C/O
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